

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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# MULTIMEDIA UNIVERSITY

## FINAL EXAMINATION

TRIMESTER 2, 2020/2021

### UCS 2612 – CONSUMER LAW

(All sections / Groups)

8 MARCH 2021

Reading Time : 9.15 – 9.30 am

(15 Minutes)

Answering Time: 9.30 – 12.30 am

(3 Hours)

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#### INSTRUCTIONS TO STUDENTS

1. Students will have fifteen minutes during which they may read the paper and make rough notes **ONLY**. Students then have the remaining **THREE HOURS** in which to answer the questions.
2. This Question paper consists of 4 pages with 4 Questions only.
3. Answer **One (1) question** from **Part A** and **ALL questions** from **Part B**.
4. Please write all your answers in the Answer Booklet provided.

**PART A: Answer Question 1(a) OR Question 1 (b)****QUESTION 1(a)**

Write short notes on the definition, elements with reference to the Consumer Protection Act 1999, and case law on the following: -

- a) Bait advertising (5 marks)
- b) False representation (5 marks)
- c) Right of redress (5 marks)
- d) Safety standard (5 marks)
- e) Unfair terms (5 marks)

**[Total: 25 marks]**

**QUESTION 1(b)**

Hakim, a third year law student has an interest in consumer protection. He seeks your advice on the following areas: -

- a) The importance of international cooperation in consumer protection. (5 marks)
- b) United Nations has adopted the Guidelines on Consumer Protection. Explain on the stated guidelines with reference to the following areas: -
  - i. National policies for consumer protection
  - ii. Physical Safety
  - iii. Promotion and protection of consumers' economic interests
  - iv. Standards for the safety and quality of consumer goods and services
  - v. Distribution facilities for essential consumer goods and services

(15 marks)

**Continued...**

- c) Explain the functions of International Organization of Consumer Union.  
(5 marks)

**[Total: 25 marks]**

**PART B: Answer All Question**

**QUESTION 2**

- a) Lily bought a microwave oven from Westmarket. She wanted to bake a cake for her mother. The manufacturer, Fleur Kitchen, provided an instruction manual on the temperature and the baking time for a cake which is at 120 Celsius for 30 minutes.

After 15 minutes, she opens the oven door to rotate the cake in order for the cake to be cooked evenly. However, the oven's automatic door suddenly failed to close, and consequently, the oven caught fire. Lily suffered severe burns on her right hand and her kitchen was damaged due to the fire.

She intends to take action against Westmarket and Fleur Kitchen. Advise her rights under Consumer Protection Act 1999 relating to product safety and product liability.

(20 marks)

- b) If Fleur Kitchen received complaints on the same microwave model and with the same defect, advise Fleur Kitchen on their subsequent action for the product that is currently in the market.

(5 marks)

**[Total: 25 marks]**

**Continued...**

**QUESTION 3 (a)**

Danny hired Beau Décor to decorate her house which she was quoted RM 50,000 for the service. After one month, the work is completed. However, it did not turn out well as the decorated house was different from the proposed plan. The paint finishing for the house was messy. Furthermore, the furniture and fixtures used by the Beau Décor was cheaper than the quoted price and of lower quality.

Danny is not happy with the service and wishes to request for a reduction of 40% from the quoted price. However, Beau Décor did not agree.

Advise her on her rights under Consumer Protection Act 1999 against Beau Décor.

(12.5 marks)

**QUESTION 3 (b)**

Depp saw an Instagram account named 'ibake' where the seller bakes cakes in specialized design. He decided to order a cake with Spiderman design as per advertised on the Instagram account for his son's 3<sup>rd</sup> birthday. He paid RM 150 for the cake. However, the cake that was delivered to Depp was not in a Spiderman design as per advertised. Depp refused to accept the cake and demanded a full refund.

With reference to Consumer Protection Act 1999, explain to Depp on explain to Depp on his consumer rights to redress.

(12.5 marks)

**[Total: 25 marks]**

**Continued...**

**QUESTION 4**

Explain on the scope of jurisdiction and procedures of filing and registration of case in the Tribunal for Consumer Claim with reference to the provisions in Consumer Protection Act 1999.

**[Total: 25 marks]**

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